



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2113

developmental disabilities; Down syndrome

Purpose

Expands the definition of *developmental disability* to include a severe, chronic disability that is attributable to Down syndrome.

Background

A *developmental disability* is either a strongly demonstrated potential that a child who is under six years of age has or will develop a developmental disability, as determined by a prescribed test or by other appropriate tests, or a severe, chronic disability that: 1) is attributable to a cognitive disability, cerebral palsy, epilepsy or autism; 2) is manifested before the age of 18; 3) is likely to continue indefinitely; 4) reflects the need for a combination and sequence of individually planned or coordinated special, interdisciplinary or generic care, treatment or other services that are of lifelong or extended duration; and 5) results in substantial functional limitations in three or more areas of major life activity. Areas of major life activity include: 1) self-care; 2) receptive and expressive language; 3) learning; 4) mobility; 5) self-direction; 6) capacity for independent living; and 7) economic self-sufficiency ([A.R.S. § 36-551](#)).

The Director of the Department of Economic Security (DES) is responsible for developing and annually revising a statewide plan and initiating statewide programs and services for persons with developmental disabilities. Services include child, adult, residential and resource services. An Arizona resident with a developmental disability, supported by medical and psychological documentation, is eligible to apply for developmental disabilities programs, services and facilities operated, licensed and supervised by DES (A.R.S. §§ [36-554](#) and [36-559](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Expands the definition of *developmental disability* to include a severe, chronic disability that is attributable to Down syndrome.
2. Defines *Down syndrome* as a genetic disorder caused when abnormal cell division results in extra genetic material from chromosome 21, affecting a person's cognitive and physical abilities and causing developmental issues.
3. Makes conforming changes.
4. Becomes effective on the general effective date.

FACT SHEET

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House Action

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| HHS | 1/31/22 | DP | 9-0-0-0 |
| 3 rd Read | 2/23/22 | | 59-0-1 |

Prepared by Senate Research

March 14, 2022

MM/MC/sr